

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America )

v. )

Walter Lee BROWN III )

Defendant(s)Case No. C - 13 - 1510 MClerk, U.S. District Court  
Southern District of Texas  
FILED

DEC 13 2013

David J. Bradley, Clerk of Court

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/12/2013 in the county of Brooks in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C., 841 (a) (1)

Knowingly, intentionally and unlawfully  
possess with the intent to distribute a  
controlled substance in Schedule I of  
the Controlled Substance Act of 1970, to  
wit: 8.70 kilograms (aggregate gross  
weight) of marijuana

This criminal complaint is based on these facts:

See Attachment "A"

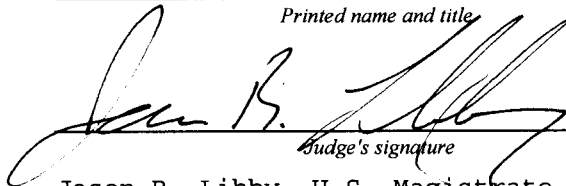
☒ Continued on the attached sheet.

Complainant's signature

Kristen Davies, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/13/2013City and state: Corpus Christi, Texas

Judge's signature

Jason B. Libby, U.S. Magistrate Judge

Printed name and title

## Attachment A

On December 12, 2013, Border Patrol Agent Jorge Ramirez was assigned Immigration inspection duties at the U.S. Border Patrol Checkpoint, located 13 miles south of Falfurrias, Texas. Working with BPA Ramirez on primary was BPA Francisco Carriaga and his canine Iwan. At approximately midnight, a green Dodge Ram displaying Texas license plate #BH84463 approached the primary inspection lane for an immigration inspection. BPA Ramirez asked the driver, later identified as Walter Lee BROWN III, where he was coming from. BROWN stated "I am coming from FM 1017." BPA Ramirez then asked BROWN where he was going and BROWN stated "I am going to Callalen, Texas." BPA Ramirez observed BROWN was extremely nervous while he was being questioned. BPA Ramirez noticed BROWN kept stuttering and shaking. BPA Ramirez asked BROWN if he was a U.S. Citizen and he responded "Yes". While BPA Ramirez was questioning BROWN about his citizenship, BPA Carriaga was conducting a non-intrusive free air canine sniff around the vehicle utilizing his service canine.

BPA Carriaga indicated to BPA Ramirez that his canine was alerting to the vehicle and that he wanted to take a closer look at it. BPA Ramirez directed BROWN to the secondary inspection area for a closer examination. While he was directing BROWN to secondary BROWN stated "can't I just go to Falfurrias?" BPA Ramirez responded "no" and instructed BROWN again to park in the secondary inspection.

Once in the secondary inspection area, BROWN was asked to exit the vehicle and was taken inside the checkpoint for safety purposes. BPA Carriaga opened a black gas cylinder and discovered a bag with a green leafy substance later to be identified as marijuana.

BROWN was immediately placed under arrest and escorted inside the Checkpoint. BPA Ramirez read BROWN his Miranda Warning Rights in his preferred language in English at approximately 12:24 am. BPA Lucio Campos witnessed the reading of his Miranda rights. BROWN signed the form and initialed in the appropriate area of the I-214 form indicating that he understood his rights. BROWN stated that he was willing to make a statement.

BROWN stated that approximately 5:00 pm he was in Roma, Texas with a friend of his by the name of Anthony. BROWN stated he and his friend loaded the marijuana inside the cylinder tank and loaded it in his truck. BROWN stated he then started driving towards the checkpoint but he hit a deer on FM1017 so he had to go back to his friend's house to fix his headlights. BROWN stated he left his friend's house and drove towards the checkpoint. BROWN stated he got lost along the way until he was arrested at the U.S. Border Patrol Checkpoint in Falfurrias, Texas.

A total of one bag weighing 6.6 kilograms was found inside the gas cylinder.

On 12-12-13, SA Kristen Davies and SA Lorenzo Alvarado arrived at the Falfurrias Border Patrol Checkpoint and took custody of the case and case evidence. SA Davies and SA Alvarado escorted BROWN to the DEA interview room located at the Falfurrias Checkpoint.

SA Davies advised BROWN of his Miranda Rights, as witnessed by SA Alvarado. BROWN advised that he understood his rights and wished to answer questions. BROWN advised SA Davies that he loaded the marijuana into the cylinder with his friend Anthony. He stated that he paid \$2250 for the marijuana and was going to take it to Kentucky.

After interviewing BROWN, SA Davies went to look at the truck that BROWN was driving at the time of his arrest. While looking in the vehicle for paperwork, SA Davies found 2 bundles of compressed marijuana underneath the front seat, which was witnessed by SA Alvarado. SA Davies weighed the bundles and found them to weigh 2.1 kgs.

SA Davies spoke with BROWN again and asked him about the 2 bundles of marijuana underneath the seat of his vehicle and he stated that he knew they were there. He advised that the mother of his friend, Johnny, put them there prior to him leaving Roma.

The total weight of the marijuana was found to be 8.7 kgs. SA Davies contacted AUSA Ken Cusick who accepted charges on Walter BROWN III.